



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

JANUARY 2008

EDITION #53

MESSAGE FROM THE CHAIRMAN

As I write this quarter's message, I am saddened by news of the death of long time friend and mentor, Curtis Michael at age 86. When I started in the electrical industry some 30 odd years ago, Curtis was one of the people who taught me how to estimate. I have often told others that if you had a locknut left over on one of Curtis' projects it was because you forgot to install it somewhere. My how times have changed! We now have computer estimating programs, some of which will scan and tabulate the project for you, but I often wonder if they are as good as Curtis.

Another business associate recently told me he had read that 60% of today's construction workforce is over the age of 50. Since I fall into this category, it makes me wonder where the industry is headed. There will always be a need for electricians, but will there always be enough electricians? In my first message I repeated a philosophy that my father had "try to put more into the industry than you took out". I would like to challenge each of you to get involved with improving the electrical industry. Get a young person interested in electricity, partner with a high school, tech school or community college. Show them that this can be an interesting, fun, rewarding career. We have to plant that seed which will encourage young people into this industry.

Nothing is quite like saying "I helped build that, whether you're referring to a construction project or a successful electrician.

Jerry Tucker, Board Chairman

2008-2009 CONTINUING EDUCATION SPONSORS/INSTRUCTORS

Parties interested in applying to the Board for approval as a 2008-2009 Continuing Education Sponsor and/or Instructor should contact the Board's office for the appropriate application packet. All applications and other required information are due no later than March 1, 2008.

Sponsors and instructors currently approved for this year will be mailed the 2008-2009 application information and do not need to contact us unless they have not received the application packet by January 30, 2008. The application will also be on the Boards web site at www.ncbeec.org under Continuing Education.

2007 Electrical Apprentice Contest Winner

Michael D. Claar, Watson Electrical Construction Co., LLC, Wilson NC won first place in the 2007 North Carolina Electrical Apprentice Contest held October 17, 2007, at the NC State Fair, Raleigh, NC.

Congratulations Michael!!!

Electrical Contractors Newsletter

This newsletter is published semi-annually as a service to electrical contractor licensees and others in the electrical industry. Suggestions for articles of interest for publication in this newsletter are welcome.

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NEW “INDUSTRIAL MACHINERY” LAW

The 2007 North Carolina General Assembly enacted a new law to exempt “Industrial Machinery” from the North Carolina State Building Code.

The amendment to GS 143-138 (b) defines “industrial machinery” as “...equipment and machinery used in a system of operations for the explicit purpose of producing a product. The term does not include equipment that is permanently attached to or a component part of a building and related to general building services such as ventilation, heating and cooling, plumbing, fire suppression or prevention, and general electrical transmission.”

This means that electrical components of HVAC, Plumbing, etc. ARE under the electrical code, but machinery which is part of a system of operations which produce a product are NOT. For the contractor, this means the work related to the equipment will not be reviewed and approved by the local code official or certified by the third party testing agency.

Please be aware that this new law does not change the laws applicable to electrical contracting. Contractors licensed by the Board have the responsibility to install electrical systems that meet or exceed the National Electrical Code as approved by the North Carolina State Building Code Council, manufacturer’s specifications, and installation instructions and standards prevailing in the industry.

Because of the absence of information usually available for listed equipment, and because of the reality of increased risk that injury may result from unlabelled equipment, licensees may wish to clarify contracts and communications to make clear decisions who will have the responsibility to determine the existence of adequate power supply, circuit protection, disconnects and the like in such electrical systems. Any specifications and installation instructions from the overseas equipment manufacturer or property owner must be examined carefully.

If you need further information, please contact the Board office.

Board's Examination Program

2008 National Electrical Code NASCLA Contractors Guide to Business, Law and Management – 8th Edition

The Board's qualifying examinations will be based on the 2005 National Electrical Code and 7th Edition of the NASCLA Business and Project Management for Contractors book through June 30, 2008.

Effective July 1, 2008, the Board's qualifying examinations will be based on the 2008 National Electrical Code and NASCLA Contractors Guide to Business, Law and Management – 8th Edition.

Anyone wishing to apply for the qualifying examination should contact the board's office for the Examination Information Handbook. Telephone/Voice Mail 1-800-392-6102.

Order Forms are contained in this Newsletter for each of the publications.

DATES AHEAD

2008 NC ELECTRICAL INSTITUTE

The NC Electrical Institute will be held at the North Raleigh Hilton, Raleigh, NC, April 1-2, 2008. For detailed information, contact Ron Chilton, Telephone 919/661-5880 ext. 235.

2008 NCAEC ANNUAL CONVENTION & TRADESHOW

The NC Association of Electrical Contractors will hold its Annual Convention & Tradeshow at the Hilton Myrtle Beach Resort, Myrtle Beach, SC, June 12-15, 2008. For detailed information, contact the NCAEC office, Telephone 336/854-8354.

2008 CECA ANNUAL CONVENTION

The Carolinas Electrical Contractors Association will hold its Annual Convention at the Hilton, Hilton Head Island, SC, June 19-22, 2008. For detailed information, contact the CECA office, Telephone 704/365-4016.

ANNUAL REPORT OF STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

FISCAL YEAR JULY 1, 2006 – JUNE 30, 2007

Number of persons who applied to Board for examination	1,725
Number of applications returned to sender because they were not duly filed	144
Number who were refused examination	0
Number who cancelled or withdrew application	359
Number who took examination	1,366
Number to whom initial licenses were issued (including reciprocity)	535
Number who applied for licenses by reciprocity or comity	79
Number who were granted licenses by reciprocity or comity	79
Number of licenses terminated for any reason other than failure to pay the required renewal fee (Deceased during 2006-2007 fiscal year)	13
TOTAL number of active licenses as of 6/30/2007	14,654
COMPLAINT REPORT RECEIVED DURING JULY 1, 2006 – JUNE 30, 2007	
Complaints Received:	
Board Staff	22
Case Reopened	0
Verbal/In Person	19
Written/Complaint Form	270
TOTAL	311
Complainant:	
Boards Staff	38
Concerned Citizen	39
Inspector	86
Licensee	48
Owner	97
State Agency	3
TOTAL	311
Complaints Registered Against:	
Licensee	156
Non-licensee	155
TOTAL	311
Alleged Issues: (One complaint may be listed in more than one category)	
Contractual / Financial Dispute	8
Criminal Convictions	6
Electrical Code Violations	16
Other	95
Permit - Inspections	20
Violation of Laws and Rules	155
Resolutions: (One complaint may be listed in more than one category)	
Unknown (Open Cases)	29
Informal Inquiry – Satisfactorily Resolved	0
Licensee - Dismissed	65
Licensee – Permit or Verbal Warning	22
Licensee – Reprimand, Probation, Civil Penalty	42
Licensee – Suspension or Revocation	1
Non – Licensee Warning	91
Non – Licensee Court Action	9
Non – Licensee Dismissed	36
TOTAL RESOLVED	266
TOTAL PENDING	45
TOTAL COMPLAINTS	311

5th ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Mr. Robert Ivey Gossett (Bob) with the 4th Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2007 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated and highly skilled and inspires others to learn.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor's name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 1st, 2008 in Raleigh, NC.

If you would like to participate, please detach and complete the nomination form below or notify us by email: aparris@ncbeec.org. If you use this form please cut on the dotted line and return it to the Board's office. The address is:

N. C. State Board of Examiners of Electrical Contractors
P. O. Box 18727
Raleigh, NC 27619

You must submit your vote to the Board's office by February 29, 2008.

Thank you for your participation.



CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

I would like to make the following nomination for the 2007 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

COMMENTS: _____

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: #2007-28
NON-LICENSEE: Michael Wayne Beard
ADDRESS: 19 Briar Circle, Apt. G
Fayetteville, NC 28304
VIOLATION: Engaging in the business of electrical contracting without license
COURT ACTION: Civil Action instituted in Cumberland County Superior Court resulting in entry of Court Order on August 1, 2007, whereby Michael Wayne Beard is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, except when he holds a license from the Board. The defendant was assessed with the costs of this action and notified that further violations could be punished as contempt of court.
EFFECTIVE DATE: August 1, 2007

CASE FILE NUMBER: 2007-154
NON-LICENSEE: Henry Freddie Jones, Jr. d/b/a JNJ Electric
ADDRESS: 5809 Sandy Pines Drive
Youngsville, NC 27596
VIOLATION: Engaging in the business of electrical contracting without license.
COURT ACTION: Civil Action instituted in Franklin County Superior Court resulting in a Court Order filed August 27, 2007, whereby Henry Freddie Jones, Jr. individually and d/b/a JNJ Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, except when he holds a license from the Board. The defendant was assessed with the costs of this action and informed that further violations would be punishable as contempt of court.
EFFECTIVE DATE: August 27, 2007

NOTICE OF VIOLATION

CASE FILE NUMBER: 2006-207
LICENSEE: Robert Spencer Electric Company
ADDRESS: 615 Friendship Drive
Matthews NC 28105
LISTED QUALIFIED INDIVIDUAL: Robert Donald Spencer, Jr.
LICENSE NUMBER: 13999-I
VIOLATION(S): Violation of 87-43, 87-47 (a1) (7) and Rule .0402 in that the firm:
(1) Failed to operate all electrical contracting business in the name of Robert Spencer Electric Company as licensed by the Board;
(2) Even though paid in full, failed to properly install wiring and equipment as agreed with the owner on the work proposal; and
(3) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand together with one (1) year probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:
(1) No further violation of the General Statutes or the Rules of the Board;
(2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value with detailed description of the work to be performed;
(3) Obtain all required electrical permits prior to starting any electrical projects; and
(4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.
EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-32
LICENSEE: Brayboy Electric
ADDRESS: 4002 Providence Road, Apt. H
Charlotte NC 28211
LISTED QUALIFIED INDIVIDUAL: Brian Edward Brayboy
LICENSE NUMBER: 25172-SFD

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

VIOLATION(S): Violation of 87-47 (a1), (7) in that the firm:

- (1) Failed to install wiring in accordance with the North Carolina State Electrical Code, NFPA 70 National Electrical Code; and
- (2) Engaged in malpractice and unethical conduct by delaying completion of the electrical contracting project located at 5329 Providence Road, Charlotte, NC; and
- (3) Failed to act promptly upon the request by the Board field staff.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and twelve (12) months probation, with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Complete all electrical contracting projects in a timely manner;
- (3) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (4) Obtain an approved final inspection within ten (10) days after completion of all electrical contracting projects; and
- (5) Obtain no more than \$500.00 for a project prior to starting, collect no more than 60% of the price after passage of rough-in inspection and collect balance after passage of final inspection.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-68

LICENSEE: TayCo Electric, Inc.

ADDRESS: 1505-C Turring Drive
Indian Trail NC 28079

LISTED QUALIFIED INDIVIDUAL: Ronald Daniel Taylor

LICENSE NUMBER: 10753-L

VIOLATION(S): Violation of 87-43.2 (1), 87-43.3 and 87-47 (a1) (7) in that the firm:

- (1) Exceeded the scope of the Limited Electrical Contractor License (#10753-L) by subdividing a \$47,000 single project into two subcontracts;
- (2) Engaged in malpractice in the use of the license; and
- (3) Mr. Taylor failed to properly supervise and direct work carried out by employees of the licensee.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and \$1,000.00 civil penalty. Staff further proposed twelve (12) months probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects; and
- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-92

LICENSEE: Luther J. Parks

ADDRESS: 596 Parks Ridge Road
Wilkesboro NC 28697

LISTED QUALIFIED INDIVIDUAL: Luther J. Parks

LICENSE NUMBER: 16536-L

VIOLATION(S): Violation of 87-47 (a1), (2), (3), (5) and (7) in that the firm:

- (1) Sold and transferred the license to Jackson Bell, Jackson Bell Construction (unlicensed person and firm) under a subcontract arrangement;
- (2) Aided or abetted Jackson Bell, Jackson Bell Construction (unlicensed person and firm) to engage in the business of electrical contracting; and

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

(3) Engaged in unethical conduct in the use of your license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and one thousand dollars (\$1,000.00) civil penalty. There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-128
LICENSEE: Lightworks
ADDRESS: 910-5 Cedar Point Boulevard
Cedar Point NC 28584-7020

LISTED QUALIFIED INDIVIDUAL: Donald Oscar Thompson

LICENSE NUMBER: 11659-L

VIOLATION(S): Violation of 87-43, 87-47 (a1) (2) (3) (6) (7) in that the firm:
(4) Failed to operate all electrical contracting business in the name of Lightworks as licensed by the Board;
(5) Sold or transferred the license to Crystal Coast Lighting, Inc. and Millennium Lighting (unlicensed firms);
(6) Aided or abetted Christopher Daniel Thompson (unlicensed person) to engage in the business of electrical contracting; and
(7) Engaged in unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty and two (2) years probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects and assure that final inspections have been performed

within 10 days of substantial completion; and

- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-130
LICENSEE: McKinley Edwards
ADDRESS: 729 Wagon Ford Road
Pink Hill NC 28572

LISTED QUALIFIED INDIVIDUAL: McKinley Charles Edwards

LICENSE NUMBER: 18442-L

VIOLATION(S): Violation of 87-43.3 and 87-47 (a1) (7) in that the firm:

- (1) Exceeded the scope of the Limited Electrical Contractor License (#18442-L) by bidding \$58,500 for the electrical contracting project located at 2103-103 Pyramids Village Boulevard, Greensboro, NC;
- (2) Failed to bid the project in the name of McKinley Edwards as licensed by the Board; and
- (3) Engaged in malpractice in the use of the license.

BOARD ACTION: The Board, acting through its staff, issued a Notice of Violation and proposed disciplinary action. After further review and discussion, the Committee directed that an Amended Notice be sent to Mr. Edwards with the following recommendations:

- (1) License and qualification is suspended for six (6) months.
- (2) The suspension will begin upon completion of any outstanding jobs for which permits existed as of the date of this Notice. Staff is directed to verify the permits.
- (3) No new work will be undertaken until the conclusion of the period of suspension.
- (4) Following completion of the period

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

of suspension, license and qualifications will be placed on probation for a period of two (2) years.

- (5) During the period of probation, respondent shall comply with the following conditions:
 - (a) No further violation of the General Statutes or the Rules of the Board;
 - (b) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
 - (c) Obtain all required electrical permits prior to starting any electrical projects; and
 - (d) Properly supervise and direct all employees and projects.
- (6) That in the event of violation of the terms of this notice, the Board may take action including revocation or suspension of license and qualifications as is justified by the new evidence in addition to the suspension set out in this Notice.

There was no objection from the licensee and the Board concurred in the action by the committee.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-134
LICENSEE: Oak Ridge Electric Company Inc.
ADDRESS: PO Box 349
 Oak Ridge NC 27310
LISTED QUALIFIED INDIVIDUAL: Bradley Scott Biggs
LICENSE NUMBER: 24750-L
VIOLATION(S): Violation of 87-47 (a1), (7) in that the firm:
 used a 4 foot ground rod for a saw service located at 3212 Olde Sedgefield Way, Greensboro, NC. This is code violation 250.52 (a) (5).
BOARD ACTION: The Board, acting through its staff, proposed a reprimand and \$500.00 civil

penalty.
There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-140
LICENSEE: Worsham Electrical Contractors
ADDRESS: 1200 Cranford Road
 Denton, NC 27239
LISTED QUALIFIED INDIVIDUAL: Joel D. Worsham
LICENSE NUMBER: 21474-U
VIOLATION(S): Violation of 87-47 (a1), (7) in that the firm:
 used a 4 foot ground rod for a saw service located at 208 Revere Drive, Greensboro, NC. This is code violation 250.52 (a) (5).
BOARD ACTION: The Board, acting through its staff, proposed a reprimand and \$500.00 civil penalty.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-146
LICENSEE: D2 Electric, Inc.
ADDRESS: 11220 NC Hwy 27 West
 Lillington NC 27546
LISTED QUALIFIED INDIVIDUAL: Jesse Damon Bartlett
LICENSE NUMBER: 24311-L
VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(5) and (7); Board Rule .0907 ©; Board Rule .0908 (a), (b), (c) in that the licensee performed electrical contracting work at Hammerhead Crab Company, 916 East Main Street, Havelock, NC and;
 (1) Installed electrical contracting work with violations of the National Electrical Code;
 (2) Installed inadequate electrical contracting work for the equipment to be used in the operations of the business;

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

(3) Mr. Bartlett failed to properly supervise and direct work carried out by employees of the licensee;

(4) Failed to complete the project; and

(5) Engaged in unethical conduct, deceit and malpractice in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed that Jesse Damon Bartlett enroll in the approved disciplinary class offered by Contractors Education Services, LLC/Umpire Technologies Group Inc. and enroll in a North Carolina Standard Level 1 (40 hours or more) Electrical Inspector class and present evidence of a passing score in each class by June 30, 2008. Staff further proposed twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-159

LICENSEE: EPSON Electric

ADDRESS: 4580 Tournament Drive, Apt. 108
Raleigh NC 27612

LISTED QUALIFIED INDIVIDUAL: Billy Wayne Peppers Jr.

LICENSE NUMBER: 24547-L

VIOLATION(S): Violation of 87-47 (a1) (5) and (7) in that the firm:

(2) Failed to pay employee wages to Daniel L. Dupree in a timely manner; and

(4) Engaged in malpractice in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a warning and twelve (12) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Pay employee wages due to Daniel L. Dupree; and

(2) No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-165

LICENSEE: Do Right Electrical Services Inc

ADDRESS: P.O. Box 608
Hillsborough, NC 27278

LISTED QUALIFIED INDIVIDUAL: Richard Elmer Boyd

LICENSE NUMBER: 24391-I

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(2)(3)(7) and Rule .0301 in that the licensee:

(1) Sold and transferred the license to Sherri Bos, President, Do Right Electrical Services Inc., P.O. Box 608, Hillsborough, NC 27278;

(2) Aided and abetted unlicensed activity in that Richard Elmer Boyd, listed qualified individual, failed to supervise and direct all electrical contracting work performed by employees of Do Right Electrical Services Inc.;

(3) Do Right Electrical Services Inc. is operating a full time electrical contracting business, while Richard Elmer Boyd is working a full time job at BFPE in Clayton, NC; and

(4) Engaged in deceit or unethical conduct in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and one thousand dollars (\$1,000.00) civil penalty and twenty four (24) months probation with conditions. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board. The probation conditions are as follows:

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects; and
- (4) Properly supervise and direct all employees and projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-176
LICENSEE: Electrical Services & Repair Inc.
ADDRESS: P. O. Box 5683
Cary, NC 27512

LISTED QUALIFIED INDIVIDUAL: Allen Ray Kirk

LICENSE NUMBER: 11856-U

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(2)(3) and (7) in that the licensee undertook to perform an electrical contracting project located at 1661 North West Maynard Road, Cary, NC and;

- (1) Sold and transferred his license to Jerry W. Taylor d/b/a Sunwolfe Enterprises, Inc., License #24093-L to engage in the referenced project;
- (2) Aided and abetted Jerry W. Taylor d/b/a Sunwolfe Enterprises, Inc., License #24093-L to engage in the referenced project having a value in excess of the twenty-five thousand (\$25,000) limitation for a Limited license;
- (3) Engage in malpractice by entering onto a subcontract arrangement with Jerry W. Taylor d/b/a Sunwolfe Enterprises, Inc.; and
- (4) Engaged in unethical conduct and deceit in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed that Allen Ray Kirk enroll in the approved disciplinary class offered by Contractors Education Services, LLC/Umpire Technologies Group Inc. and present evidence of a passing score by June 30, 2008 and pay one thousand dollars (\$1,000.00) civil penalty and be on a proposed

twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-177
LICENSEE: Sunwolfe Enterprises, Inc.
ADDRESS: P. O. Box 1171
Kenly, NC 27542

LISTED QUALIFIED INDIVIDUAL: Jerry W. Taylor

LICENSE NUMBER: 24093-L

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(1)(5) and (7) in that the licensee subcontracted with Allen R. Kirk d/b/a Electrical Services & Repair Inc. to perform an electrical contracting project located at 1661 North West Maynard Road, Cary, NC and;

- (1) Exceeded the Limited license limitation by engaging in the referenced project having a value in excess of the twenty-five thousand (\$25,000) limitation for a Limited license;
- (2) Engage in malpractice by entering onto a subcontract arrangement with Allen Ray Kirk d/b/a Electrical Services & Repair Inc.; and
- (3) Engaged in unethical conduct and deceit in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed that Jerry W. Taylor enroll in the approved disciplinary class offered by Contractors Education Services, LLC/Umpire Technologies Group Inc. and present evidence of a passing score by June 30, 2008 and a civil penalty of \$500.00 and be on a twenty four (24) months probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-178

LICENSEE: Don Bernard Williams

ADDRESS: 9609 Eden Trail
Fuquay-Varina, NC 27526

LISTED QUALIFIED INDIVIDUAL: Don Bernard Williams

LICENSE NUMBER: 22713-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(5) and (7) in that the licensee performed electrical contracting work at 2526 Rochelle Street, Durham, NC and;

- (1) Failed to obtain required permit and inspections;
- (2) Installed electrical contracting work with violations of the National Electrical Code;
- (3) Abandoned project with incomplete and unsafe electrical work; and
- (4) Engaged in unethical conduct, deceit and malpractice in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and twelve (12) months probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value with detailed description of the work to be performed; and
- (3) Obtain all required electrical permits prior to starting any electrical projects.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: September 13, 2007

CASE FILE NUMBER: 2007-186

LICENSEE: Coltrain Electric Company

ADDRESS: P. O. Box 1331
Buxton, NC 27920

LISTED QUALIFIED INDIVIDUAL: Larry David Coltrain

LICENSE NUMBER: 8864-U

VIOLATION(S): Violation of North Carolina General Statutes 87-43, 87-47 (a1) (2)(3)(5)(7), Board Rule .0306, Board Rule .0907© in that the licensee performed electrical contracting work at Lot #12, Lot #13, and Lot #14 Caribbean Way (Estates of Hatteras Island), Rodanthe, NC and;

- (1) Sub-contracted electrical work to persons that did not hold a valid North Carolina Electrical Contractor License and;
- (2) Larry David Coltrain d/b/a Coltrain Electric Company did not direct and supervise the electrical wiring installations that was sub-contracted and performed by persons that did not hold a valid North Carolina Electrical Contractor License.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a one thousand dollar (\$1,000.00) civil penalty and twenty four (24) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (2) Obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (3) Maintain job files or other written records of contracts made and installations performed;
- (4) Utilize no personnel on any job except (A)-Persons receiving a W-2 from Coltrain Electric Company, or (B)-An employee of both Coltrain Electric Company and a labor supplier such as Manpower, Tradesman, Work Force, etc.;

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (5) Utilize only W-2 employees of Coltrain Electric Company as qualifiers, job superintendents or foreman;
- (6) Subcontract no jobs to other licensed electric contractors;
- (7) Take steps to assure that a person holding qualification license from the Board visit every job prior to every inspection request;
- (8) Maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the of the staff of the Board; and
- (9) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-187

LICENSEE: Bender-Eubanks Electrical
ADDRESS: PO Box 25
Pollocksville NC 28573

LISTED QUALIFIED INDIVIDUAL: Jessie Ray Eubanks

LICENSE NUMBER: 4149-U

VIOLATION(S): Violation of 87-47 (a1) (7) and Board Rule .0908 (a) (b) (c) in that the firm:

- (8) Disabled a thermal cut out safety device in a recessed lighting fixture in a bathroom located at 112 Hillsboro Drive, Bern Bern, NC;
- (9) Failed to properly supervise work carried out by employees; and
- (10) Engaged in malpractice in the use of the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a five hundred dollar (\$500.00) civil penalty and twelve (12) months probation with suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

No further violation of the General Statutes or the Rules of the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-211

LICENSEE: Spell Electrical Service
ADDRESS: 211 Mary McCall Road
Stedman NC 28030

LISTED QUALIFIED INDIVIDUAL: Arthur Elwood Spell

LICENSE NUMBER: 6955-U

VIOLATION(S): Violation of North Carolina General Statutes. 87-47 (a1)(2)(3) and (7) in that the firm:

- (1) Sold and transferred the license to Midland Communications (unlicensed firm);
- (2) Aided and abetted Henry C. Hodgkins (unlicensed person) to engage in the business of electrical contracting;
- (3) Failed to provide adequate supervision in the use of his license; and
- (4) Engaged in unethical conduct and deceit in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$1,000.00 civil penalty and two (2) years probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board;
- (2) Obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;
- (3) Obtain all required electrical permits prior to starting any electrical projects and assure that final inspections have been performed within 10 days of substantial completion; and
- (4) Properly supervise and direct all employees and projects.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-216

LICENSEE: Dvorak Electric Company

ADDRESS: 4709 North College Road
Castle Hayne NC

LISTED QUALIFIED INDIVIDUAL: Daniel
Duane Dvorak

LICENSE NUMBER: 20892-L

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(4)(5) and (7) in that the firm:

- (1) Failed to disclose a misdemeanor criminal conviction on the License Renewal Form; and
- (2) Engaged in deceit and misrepresentation to renew the license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and \$500.00 civil penalty.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-231

LICENSEE: A.T. Lee Electric Company

ADDRESS: PO Box 360
Micro NC 27555

LISTED QUALIFIED INDIVIDUAL: Alvin T.
Lee

LICENSE NUMBER: 19684-SFD

VIOLATION(S): Violation of North Carolina General Statutes 87-47 (a1)(7) and Board Rule .0907 (a) and (b) in that the licensee performed electrical contracting work at 7004 Penwright Road, Wilson, NC and;

- (1) Installed electrical contracting work with violations of the National Electrical Code;
- (2) Failed to correct wiring containing shock and/or fire hazards; and
- (3) Engaged in malpractice in the use of his license.

BOARD ACTION: The Board, acting through its staff, proposed a verbal warning and six months

probation with conditions not to commit any further violation of the General Statutes or the Rules of the Board. In the event of failure to comply with the probation conditions, the Board may impose a sanction of six months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

CASE FILE NUMBER: 2007-249

LICENSEE: Quality Plus Services Inc.

ADDRESS: 2929 Quality Drive
Petersburg VA

LISTED QUALIFIED INDIVIDUAL: Marvin
A. Spangler

LICENSE NUMBER: 19968-U

VIOLATION(S): Violation of North Carolina General Statutes. 87-43, 87-47 (a1)(1)(6) and (7) and Board Rule.0403 in that the firm:

- (1) Allowed Larry L. Deans, Manager of Quality Plus Services Inc. located at 751 South Halifax Road, Rocky Mount NC to operate a separate business with an expired license.
- (2) Failed to disclose to the Board the loss of a qualifier and continued to operate separate place of business without a listed qualified individual.
- (3) Engaged in false or misleading advertising by operating a separate unlicensed place of business.
- (4) Engaged in unethical conduct, fraud and deceit in the practice of electrical contracting.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand, a \$500.00 civil penalty and one (1) year probation with revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) No further violation of the General Statutes or the Rules of the Board.
- (2) No electrical contracting can be performed at 751 South Halifax Road, Rocky Mount NC until a license is active with at least one listed

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

qualified individual that shall be regularly on active duty and has the specific duty and authority to supervise and direct electrical wiring or electrical installation work done or made by this separate place of business.

There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 12, 2007

ORDERS

CASE FILE NUMBER: 2005-74

LICENSEE: Southern Electric Construction

ADDRESS: P. O. Box 1362
2485 Hartland Road
Morganton, NC 28655

LISTED QUALIFIED INDIVIDUAL: Marshall Scott Hullender

LICENSE NUMBER: 22913-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (5) and (7) in that:

On or about February 5, 2005, Respondent entered into a contract to install an electrical system at a residence located at 832 2nd Avenue, N.W., Hickory, N.C., under contract with Carl Craig for the contract sum of \$2,700.00. In the course of the contract, Respondent received full payment for the electrical work performed, but also subsequently cashed an additional check for \$750.00 after twice representing to the homeowner he had destroyed the extra check.

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, the Board enters the following order:

1. License and qualification is suspended for six (6) months.
2. The suspension will begin upon completion of any outstanding jobs for which permits existed as of the date of this Order.
3. No new work will be undertaken until the conclusion of the period of suspension.
4. Following completion of the period of suspension, license and qualification will be placed on probation for a period of twelve (12) months.
5. During the period of probation, Respondent shall comply with the following terms and conditions:

(a) have written contracts signed by the Respondent and customer for each installation in excess of \$100.00 for which Respondent is responsible;

(b) obtain permits as required for each contract prior to commencement of work;

(c) maintain a job file for each job, containing the records of that project, including a copy of the contract and permit;

(d) request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project;

(e) maintain a service log of all contracts and service calls by date of initial call and including the date of first response;

(f) within six (6) months after this Order becomes effective, the Respondent shall enroll in the Board Disciplinary Business course approved by the Board and present evidence to the Board of a passing grade in such course by the end of probation;

(g) during the period of probation, Respondent shall submit quarterly reports documenting his compliance with the provisions of this probation order by either sending them directly to the Board's office or contacting the Board's Field Representative to advise that the documents are ready for his review; and,

(h) commit no violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

EFFECTIVE DATE: August 27, 2006

CASE FILE NUMBER: 2006-116

LICENSEE: Virlina Electric Company

ADDRESS: 1780 US 13 North
Gates, NC 27937

LISTED QUALIFIED INDIVIDUAL: William Franklin Seiling

LICENSE NUMBER: 19081-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that:

Respondent undertook to perform electrical contracting work on residential property located at 427 Willeyton Road, Gates, North Carolina, belonging to Martha Willey Johnson. In the course of work on the project Respondent:

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (a) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70;
- (b) failed to complete the electrical project in a timely fashion and eventually abandoned the project; and
- (c) engaged in malpractice in the use of his license.

BOARD ACTION: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. The Respondent's license and qualifications to engage in business as an electrical contractor be placed on probation for a period of one (1) year effective upon final action by the Board.
2. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) have written contracts or proposals signed by the licensee and customer for each installation with a project cost exceeding \$5,000.00 for which licensee is responsible prior to commencement of work;
 - (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
 - (c) maintain job files or other written records of contracts made and installations performed;
 - (d) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
 - (e) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

In the event of violation, license will be suspended for six (6) months

There was no objection from Mr. William Franklin Seiling and the Recommended Order was approved by the Board as a Final Order on September 12 2007.

EFFECTIVE DATE: September 12, 2007

CASE FILE NUMBER: 2006-157

LICENSEE: Apex Electric Company Inc.

ADDRESS: P. O. Box 1197
Apex, NC 27502

LISTED QUALIFIED INDIVIDUAL: Michael John Howington

LICENSE NUMBER: 10980-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1), (4), (5) and (7) in that:

1. Respondent undertook to perform electrical contracting work on property belonging to Fran Salman located at 1208 Crabtree Crossing Parkway, in Morrisville, North Carolina, under contract with Michael Pincus, d/b/a Homewise Builders. The work was completed around July 7, 2006. On July 14, 2006, Respondent contacted the homeowner demanding payment directly from the owner and threatening to place a lien upon the property. Respondent also failed to provide timely performance of the contract.

2. Respondent undertook to perform electrical contracting work consisting of installation of an electrical system in connection with extensive remodeling on property known as the Benson project in Foxcroft subdivision in Raleigh, N.C. In the course of the installation, Respondent:

(a) failed to provide adequate supervision, resulting in numerous Code violations;

(b) left live lines in the attic during the demolition phase, without any box, creating risk for other personnel, including the different rough-in crew;

(c) failed to install arc fault protection in a bedroom;

(d) refused to respond to requests for correction, despite the willingness of the general contractor to pay for properly completed work; and

(e) threatened to assault the property owner.

3. Respondent has violated G.S. 87-47 (a1)(4) and (5) in that Respondent obtained renewal of his license for the year of 2006-2007 by falsely representing to the Board on his renewal application that he had not been convicted of a crime in the past three (3) years. In fact, Respondent was convicted of Injury to Real Property, a misdemeanor and a violation of G.S. 90-95(A)(1), on or about January 6, 2005.

Respondent was on probation for three years based on a prior Order dated September, 2006

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, the Board enters the following order:

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

1. That the license of Respondent firm and the status of Respondent, Michael John Howington d/b/a Apex Electric Company as a qualifying individual shall be placed on probation for a period of three (3) years from the date of this Order.

2. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) utilize no personnel on any job except:

(1) persons receiving a W-2 from Apex Electric Company, or

(2) an employee of both Apex Electric Company and a labor supplier such as Manpower, Tradesman, Work Force, etc.

(e) utilize only W-2 employees of Apex Electric Company as qualifiers, job superintendents or foreman;

(f) subcontract no jobs to other licensed electrical contractors;

(g) take steps to assure that a person holding qualification license from the Board visit every job prior to every inspection request;

(h) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(i) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

The Board did not find that the prior probation had been violated

EFFECTIVE DATE: November 2, 2007

CASE FILE NUMBER: 2007-72 and 2007-145

LICENSEE: J. L. Cash Electric Inc.

ADDRESS: 311 Judges Road 13-B
Wilmington, NC 28405

LISTED QUALIFIED INDIVIDUAL: Joe L. Cash Jr.

LICENSE NUMBER: 24303-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (1) and (7) in that:

1. Respondent undertook to perform electrical contracting work on commercial property located at Regional Medical Center at 2131 17th Street, Wilmington, North Carolina. In the course of work on the project Respondent exceeded the scope of the firms Limited Electrical License in that Respondent bid a project name NHRMC CT SCAN ROOM in the amount of \$37,250.00 to Port City Builders Inc.

2. Respondent exceeded the scope of the firms Limited Electrical License in that Respondent bid a project named PPD in the amount of \$63,250.00 with Keystone Corporation.

3. Respondent caused Port City Builders and Keystone Corporation to terminate bids for the projects as a result of misrepresentation.

4. Respondent engaged in malpractice in the use of license.

BOARD ACTION: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. That the Board impose a civil penalty of \$1,000.00 upon the licensee.

2. That the Respondent’s license and qualifications to engage in business as an electrical contractor be placed on probation for a period of three (3) years, effective upon final action by the Board.

3. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

(d) contract no project in excess of his license qualifications; and,

(e) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Joe L. Cash Jr. and the Recommended Order was approved by the Board as a Final Order on September 12, 2007.

EFFECTIVE DATE: September 12, 2007

CASE FILE NUMBER: 2007-99

LICENSEE: Walter C Chandler Jr.

ADDRESS: 801 Bertonley Ave
Charlotte, NC 28211

LISTED QUALIFIED INDIVIDUAL: Walter Carl Chandler Jr.

LICENSE NUMBER: 18178-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1), (4) and (5), (6), (7) in that:

Respondent undertook to perform electrical contracting work on residential property located at 3024 Burnt Mill Road, Charlotte, North Carolina, belonging to Alex Gussin. In the course of work on the project Respondent:

(a) failed to obtain required permits and inspections in violation of the North Carolina State Building Code;

(b) failed to install wiring in accordance with the North Carolina State Electrical Code, N.F.P.A. 70 National Electrical Code;

(c) failed to complete the project in a timely manner, even after being granted additional time by the property owner and Board staff;

(d) operated business in a name other than the name in which the license is issued; and

(e) failed to disclose a criminal conviction on license renewal filed on June 12, 2000 in that he was convicted of injury to personal property on March 14, 2000 and criminal conviction for communicating threats on March 15, 2007, a matter

which raises issues with respect to character and conduct and a question of risk to the public.

BOARD ACTION: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. That the license of Respondent be suspended for a period of one (1) year. The suspension is deferred for ninety (90) days in order for Respondent to complete all work in process.

2. That the Respondent's license to engage in business as an electrical contractor be placed on probation for a period of three (3) years, effective upon reinstatement of license.

3. During the period of probation, Respondent shall comply with the following conditions of probation:

(a) present documentation to the Board when requested of his continued involvement with necessary treatment for alcohol and substance abuse to maintain sobriety;

(b) continued candor and truthfulness with this Board and by extension the public;

(c) enroll in a program furnishing random drug and alcohol testing, testing each 120 days at a minimum;

(d) have written contracts or proposals signed by the licensee and customer for each installation with a project cost over \$100.00 for which licensee is responsible;

(e) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

(f) maintain job files or other written records of contracts made and installations performed;

(g) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and

(h) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Walter Carl Chandler Jr. and the Recommended Order was

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

approved by the Board as a Final Order on September 12 2007.

EFFECTIVE DATE: September 12, 2007

CASE FILE NUMBER: 2007-101

LICENSEE: D. K. Love Electric

ADDRESS: 1471 Rush Branch Rd.

Sugar Grove, NC 28679

LISTED QUALIFIED INDIVIDUAL: Douglas Keith Love

LICENSE NUMBER: 15570-L

VIOLATION(S): 1. Respondent undertook to perform electrical contracting work on property located at 328 Shulls Mill Road, Boone, North Carolina, belonging to Terry Ainsworth and Bonnie B. Alter. In the course of work on the project Respondent:

(a) failed to install wiring in accordance with the North Carolina State Electrical Code, NFPA 70 National Electrical Code;

(b) completed the electrical project with code violations resulting in the need to hire another electrical contractor to complete the project at an additional cost of \$8,310.60 paid by the building contractor, Baxter Norris Construction of Zionville, N.C.; and

(c) failed to supervise and direct employees as required by the Board in that he was committed as an employee in other employment with Blue Ridge Electric during the hours he had employees working unsupervised at the project resulting in deficient work and injury to the property owner.

2. The violations of the Electrical Code committed under Respondent’s license were not fully understood or fully recognized by the Respondent, further demonstrating lack of minimum knowledge.

BOARD ACTION: The recommendation of the Disciplinary Committee was:

1. That the Respondents pay a civil penalty of \$1000.00 within 30 days of the date of approval of this Order by the Board.

2. That the Respondents make restitution of \$8310.60 to Baxter Norris Construction within 30 days of the date of approval of this Order by the Board.

3. In the event the penalty and restitution is not paid within the time set out above, then the status of Respondent Douglas Keith Love as a qualifying individual and the license of the firm shall be suspended for a period of one year and thereafter until the penalty and restitution are paid.

4. That Respondent be admonished that his level of knowledge must be increased, as the license authorizes work not encompassed within the daily work of an electric membership corporation, and work beyond the present level of knowledge of Respondent.

There was no objection from Mr. Douglas Keith Love and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

CASE FILE NUMBER: 2007-215

LICENSEE: Ponder’s Electrical Contracting

ADDRESS: 7394 NC Hwy 87 S

Fayetteville, NC 28306

LISTED QUALIFIED INDIVIDUAL: Mark Joseph Ponder

LICENSE NUMBER: 18943-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Petitioner was convicted of felony possession of stolen goods, breaking and entering, possession of cocaine, breaking and entering trailer/aircraft, larceny of motor vehicle, and obtaining property under false pretense and incarcerated from February 2006 until October 31, 2007, and has been enrolled in a drug treatment program.

2. Petitioner presented evidence with regard to criminal activities resulting in his incarceration in 2006, his freedom from use of drugs or alcohol since incarceration, his ongoing treatment and his current employment.

BOARD ACTION: The recommendation of the Disciplinary Committee was that:

1.Reinstatement of license be deferred and processed as follows:

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (a) that Petitioner complete fifty (50) hours of community service as directed by the Court;
- (b) that Petitioner become employed with a licensed electrical contractor for a minimum of 1,000 hours to regain the experience and involvement with the industry which has been lost;
- (c) that Petitioner continue to comply with all Court-ordered probation requirements; and
- (d) attend weekly AA/NA meetings for a minimum of six (6) months.

2. The Petitioner meet with the Board Disciplinary Committee upon completion of the requirements in Paragraph number one above.

3. After the foregoing, that the Committee recommend reinstatement subject to a three (3) year probation, the condition being no violation of the Board statutes and rules for three (3) years and compliance with the Court-ordered probation for the three (3) years.

There was no objection from Mr. Mark Joseph Ponder and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

CASE FILE NUMBER: 2007-245

ADDRESS: 47 Wake Robin
Asheville, NC 28805

EXAMINATION APPLICANT James Vernon Gilliland

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Applicant submitted application for examination on September 3, 2007.

2. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including cocaine possession, trafficking in cocaine, maintenance of vehicle/dwelling/place for controlled substance; assault on a female, resisting officer, worthless check, possession with intent to manufacturer, sell or deliver Schedule II controlled substances, possession of stolen goods, shoplifting, possession

of drug paraphernalia and carrying a concealed weapon.

3. Applicant presented evidence of his prior involvement with drugs, his incarceration, his recovery efforts, the criminal activities of his wife, his efforts to remain free of drugs since 2003 his efforts on behalf of his children and the situation surrounding his incarceration in August 2006.

BOARD ACTION: The recommendation of the Disciplinary Committee of the Board was:

1. That the application of James Vernon Gilliland for examination as an electrical contractor be allowed.

2. Upon passing the examination, license will be issued to the Applicant with the provisions that:

(a) the license be placed on probation for a period of twelve (12) months, the conditions being no violation of the statutes and rules of the Board or the criminal statutes of the State other than minor traffic offenses;

(b) within 24 months of issuance of license, Applicant provide evidence to the Board that he has attended and passed the Board-approved Contractor Business Course.

There was no objection from Mr. James Vernon Gilliland and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

CASE FILE NUMBER: 2007-252

LICENSEE: Jeff Gantt's Electrical & Repair Service

ADDRESS: 1951 Spainhour Rd.
Morganton, NC 28655

LISTED QUALIFIED INDIVIDUAL: Jeffory Dale Gantt

LICENSE NUMBER: 17710-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Respondent submitted application for renewal of license on July 25, 2007., and presented evidence of criminal convictions.

2. Respondent appeared and explained the underlying occurrences.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

3. The Committee finds no violation of the statutes and rules enforced by the Board related to contracting activity.

BOARD ACTION: The recommendation of the Disciplinary Committee of the Board was:

1. That the license of Respondent firm and the status of Respondent, Jeffery Dale Gantt, as a qualifying individual be renewed immediately.

2. That the license be placed on one (1) year probation, the condition being no violation of the statutes and rules enforced by the Board.

There was no objection from Mr. Jeffery Dale Gantt and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

CASE FILE NUMBER: 2007-253

ADDRESS: 100 Alan Parker Circle
Spring Lake, NC 28390

EXAMINATION APPLICANT: Marvin Jerome Hollins Jr.

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Applicant submitted application for examination on January 24, 2007.

2. The Board staff presented evidence of multiple incidents, infractions and a substantial criminal record of convictions during and prior to 2007, including larceny and worthless check. In addition, substantive evidence of contracting without a license in violation of statutes and rules of the Board was presented.

3. Respondent presented evidence of his effort to comply with Board requirements and personal difficulties.

BOARD ACTION: The recommendation of the Disciplinary Committee was:

1. That the application of Marvin Jerome Hollins Jr. for examination as an electrical contractor be allowed.

2. That Applicant pay restitution to CES in the amount of \$361.31 and eliminate all remaining bad check charges by paying the checks in question.

3. That the Staff obtain a Court order enjoining the Applicant from contracting without a license.

4. That the exam not be administered to Applicant until compliance with the foregoing conditions.

5. Upon successful completion and passage of the SFD examination, Applicant's license will be issued and placed on probation for a period of twenty-four (24) months, the conditions of the probation being no bad check charges and no violation of the statutes and rules enforced by the Board.

There was no objection from Mr. Marvin Jerome Hollins Jr. and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

CASE FILE NUMBER: 2007-254

ADDRESS: 5550 Grace Chapel Road
Hickory, NC 28601

EXAMINATION APPLICANT: Jackie Ray Waldrop Jr.

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Applicant submitted application for examination on January 12, 2007.

2. The Board staff presented evidence of multiple incidents, infractions and criminal convictions, including assault on a female, disorderly conduct, and assault on a government official/employee, the most recent being in 2003.

3. The applicant presented satisfactory explanation of the occurrences as well as numerous character documents attesting to his current status.

BOARD ACTION: The recommendation of the Disciplinary Committee was:

1. That the application of Jackie Ray Waldrop Jr. for examination as an electrical contractor be allowed.

There was no objection from Mr. Jackie Ray Waldrop and the Recommended Order was approved by the Board as a Final Order on December 13, 2007.

EFFECTIVE DATE: December 13, 2007

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2007-292

LICENSEE: B & M Electrical Services

ADDRESS: 1907 John Moore Road
Monroe, NC 28110

LISTED QUALIFIED INDIVIDUAL: Charles Warren Bentley

LICENSE NUMBER: 25023-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) in that Applicant had criminal convictions that raised issues with respect to the character and fitness of the Applicant.

1. Respondent made application to renew license in April 2007 and disclosed a criminal conviction.
2. The staff presented evidence of prior renewals where the representation of no criminal convictions was false, and a conviction of Third Degree Burglary in South Carolina based on occurrences on August 10, 2006. Incarceration ended approximately sixty (60) days ago.
3. Respondent presented his explanation and the Committee found the explanation was different in material respects from the explanation offered with the application.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the license of Respondent firm and the status of Respondent, Charles Warren Bentley, as a qualifying individual not be renewed or reinstated for twenty-four (24) months.
2. That respondent reappear before the Committee after twenty-four (24) months to request reinstatement.
3. That Respondent have no convictions other than minor traffic offenses during the next twenty-four (24) months.

There was no objection from Mr. Charles Warren Bentley and the Recommended Order was approved by the Board as a Final Order on January 13, 2007.

EFFECTIVE DATE: December 13, 2007

ONLINE LICENSE RENEWAL

Did you know you can renew your electrical contracting license online? No need for envelopes or stamps, simply go to the board's website and select **online services**. This link will take you to a secure site where you will be able to verify and/or update your contact information and renew your electrical contracting license for the coming year.

Online license renewal is available up to 60 days prior to the license expiration date. Currently a notice is mailed with renewal applications to those single qualifier licensees with continuing education already on file when renewal applications are printed. A user ID and password is printed on your renewal application. A valid Visa or Mastercard is required for payment.

You are encouraged to take advantage of this service. Over the past year, approximately 2167 licensees have successfully renewed online.

If you need to make changes to your license classification or license name, forms are available on the Board's website under **Need A Form**.

Remember, once your license has expired, you will be unable to utilize the online renewal.

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CONSENT AGREEMENTS

Criminal background checks a randomly conducted on examination applicants at the time examination applications are received and on listed qualified individuals at the time of issuance of a license and license renewal. Persons with criminal convictions are evaluated to determine if the matter is under the purview of the Board and may be resolved by consent agreement signed by the individual stating that they will be in full compliance of the court imposed sanctions and sanctions of the Board. The individual further acknowledges that failure to comply with the court or Board sanctions could lead to formal proceedings by the Board and more serious sanctions against the individual.

<i>Name</i>	<i>City</i>	<i>County</i>	<i>License</i>
Charles Edward Likely Likely & Son Electrical Service Probation terminates May 14, 2009.	Williamston	Martin	20980-L
Victor Gorham Probation terminates July 2, 2009.	Farmville	Pitt	24386-L
Glen Alan Davis G. A. Davis Plumbing Probation terminates February 5, 2010.	Asheville	Buncombe	19254-PH
Frank Gwaltney Frank Gwaltney's Electrical & Computer Networking Services Probation terminates October 31, 2008.	Swannanoa	Buncombe	15810-L
Kenneth Wayne Norris Norris Electrical Service Probation terminates October 31, 2008.	Graham	Alamance	16504-L

LICENSEE – PERMIT WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a permit warning affidavit or issues a verbal warning in connection with permit and inspection requirements or other issues under the purview of the Board. The North Carolina Electrical Contracting Licensing Laws and Rules of the Board have been explained to each licensee representative and/or listed qualified individual below. Staff obtained by consent a permit warning affidavit signed by the licensee representative and/ or listed qualified individual or verbal assurance from the licensee representative and/or listed qualified individual stating that they will be in full compliance with the laws and rules applicable to electrical contracting. Licensee representative and/or listed qualified individual also acknowledges that further violations of this nature, if supported by evidence, could lead to formal proceedings against the licensee and listed qualified individual by the Board and to more serious sanctions against the license of the firm.

<i>Licensee</i>	<i>Qualified Individual</i>	<i>County</i>	<i>File Number</i>
John C. Hall Electric	John Carroll Hall	Buncombe	2007-105
Logan Heating & A/C Inc.	Michael Nissen Froelich	Alamance	2007-102
Phillip Jeffrey Jones	Phillip Jeffrey Jones	Union	2007-122
Scott's Electric of Wakulla	Aaron Scott	Cumberland	2007-100
D. J. Will Electric, Inc.	James Daniel Suits	Harnett	2007-109
Above All Electrical & Plbg. Co.	Ronald Edward Payne	Surry	2007-227
Toxaway Electric Company	Iris Owen Galloway	Jackson	2007-240
Andy's Electric	Frankie Hardee, Jr.	Pitt	2007-205
ZAP's Electric	Tony Alan Thompson	Craven	2007-200
Al's Electrical	Arthur Junior Locklear	Robeson	2007-237

NON-LICENSEE – WARNING AFFIDAVITS and VERBAL WARNINGS

Staff obtains by consent a warning affidavit or issues a verbal warning in connection with unlicensed individuals offering to engage or engaging in electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina. The North Carolina Electrical Contracting Licensing Laws, specifically General Statutes 87-43, 87-43.1 and 87-48 has been explained to each individual listed below. Staff obtained by consent a sworn warning affidavit signed by the unlicensed individual or verbal assurance from the unlicensed individual stating that they will refrain from engaging or offering to engage in any electrical contracting in the State of North Carolina until such time they have qualified and obtained an electrical contracting license from the Board.

<i>Name</i>	<i>City</i>	<i>County</i>	<i>File Number</i>
Richard Armistead Boyd, Jr.	Statesville	Iredell	2007-95
Andrew Jackson Bell	Wilkesboro	Wilkes	2007-151
Patrick Michael Kelly	Mocksville	Davie	2007-89
Herbert John McKittrick	Lansing	Ashe	2007-127
Troy E. Lewis	Lowell	Gaston	2007-121
Craig Eugene Hewitt	Columbus	Polk	2007-86
Ivan M. Lomboy	Grassy Creek	Ashe	2007-167
Jeffrey Scott Huntington	Nashville	Nash	2007-74
James Wilbur Williamson, Jr.	New Bern	Craven	2007-132
Christopher Daniel Thompson	Cedar Point	Carteret	2007-97
Craig Allen Sladkey	Franklinton	Franklin	2007-156
Charles Ken Higgins	Kill Devil Hills	Dare	2007-148
M. L. Surti	Raleigh	Wake	2007-163
Russell Glenn Hunter	New Bern	Craven	2007-174
Dudley Theatrical Equipment	Winston-Salem	Forsyth	2007-93
Richard James Boody, Sr.	High Point	Guilford	2007-116
Tim Glover	Graham	Alamance	2007-136
Joe Drayton	Greensboro	Guilford	2007-142
Robert C. Heyward, III	Charlotte	Mecklenburg	2007-137
Benjamin Todd Moore	Waxhaw	Union	2007-149
Jimmy L. Yellock	Durham	Durham	2007-107
Leland Aubrey Young	Rockingham	Richmond	2007-47
Ronard Dixon	Charlotte	Mecklenburg	2007-83
Benjamin Lewis Barnes II	Sneads Ferry	Onslow	2007-139
Gary Nathan Harris	Jacksonville	Onslow	2007-106
J. S. Mintz Plumbing Service Inc	Wilmington	New Hanover	2007-27
William Ingwerson	Charlotte	Mecklenburg	2007-123
Rocardo M. Cabellero	Raleigh	Wake	2007-119
James Benders Golden	Wilmington	New Hanover	2007-180
James Justin Moore	Raleigh	Wake	2007-181
Kevin Vincent Martin	Fayetteville	Cumberland	2007-189
Bryant Brooks	Southport	Brunswick	2007-195

UPDATE YOUR CONTACT INFORMATION

You may notify the Board of any change in mailing address and telephone number. You can also add your e-mail and website address to your record. Please use this form to keep us informed. NOTE: Other recipients of this NEWSLETTER are requested to use this form to maintain a current address on file with the Board office.

Mail Completed Form to: State Board of Examiners of Electrical Contractors
P. O. Box 18727, Raleigh, NC 27619

(Please print or type) Name _____

License# _____

Business Name _____

Business Mailing Address _____
(If using a P. O. Box, please complete the location address below)

City _____ State _____ Zip Code _____

Telephone _____ Fax _____ E-mail _____ Website _____

Business Location Address (if different from mailing address) _____

City _____ State _____ Zip Code _____

Telephone _____ Fax _____ E-mail _____

Home Address _____

City _____ State _____ Zip Code _____

Telephone _____ Fax _____ E-mail _____

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